

Reserve Component continuous access to TRICARE, for a premium, regardless of their activation status.

SEC. 504. SENSE OF THE SENATE REGARDING RESTRAINING MEDICAID GROWTH.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Medicaid program provides essential health care and long-term care services to more than 50,000,000 low-income children, pregnant women, parents, individuals with disabilities, and senior citizens. It is a Federal guarantee that ensures the most vulnerable will have access to needed medical services.

(2) Medicaid provides critical access to long-term care and other services for the elderly and individuals living with disabilities, and is the single largest provider of long-term care services. Medicaid also pays for personal care and other supportive services that are typically not provided by private health insurance or Medicare, but are necessary to enable individuals with spinal cord injuries, developmental disabilities, neurological degenerative diseases, serious and persistent mental illnesses, HIV/AIDS, and other chronic conditions to remain in the community, to work, and to maintain independence.

(3) Medicaid supplements the Medicare program for more than 6,000,000 low-income elderly or disabled Medicare beneficiaries, assisting them with their Medicare premiums and co-insurance, wrap-around benefits, and the costs of nursing home care that Medicare does not cover. The Medicaid program spent nearly \$40,000,000,000 on uncovered Medicare services in 2002.

(4) Medicaid provides health insurance for more than ¼ of America's children and is the largest purchaser of maternity care, paying for more than ⅓ of all the births in the United States each year. Medicaid also provides critical access to care for children with disabilities, covering more than 70 percent of poor children with disabilities.

(5) More than 16,000,000 women depend on Medicaid for their health care. Women comprise the majority of seniors (71 percent) on Medicaid. Half of nonelderly women with permanent mental or physical disabilities have health coverage through Medicaid. Medicaid provides treatment for low-income women diagnosed with breast or cervical cancer in every State.

(6) Medicaid is the Nation's largest source of payment for mental health services, HIV/AIDS care, and care for children with special needs. Much of this care is either not covered by private insurance or limited in scope or duration. Medicaid is also a critical source of funding for health care for children in foster care and for health services in schools.

(7) Medicaid funds help ensure access to care for all Americans. Medicaid is the single largest source of revenue for the Nation's safety net hospitals, health centers, and nursing homes, and is critical to the ability of these providers to adequately serve all Americans.

(8) Medicaid serves a major role in ensuring that the number of Americans without health insurance, approximately 45,000,000 in 2003, is not substantially higher. The system of Federal matching for State Medicaid expenditures ensures that Federal funds will grow as State spending increases in response to unmet needs, enabling Medicaid to help buffer the drop in private coverage during recessions. More than 4,800,000 Americans lost employer-sponsored coverage between 2000 and 2003, during which time Medicaid enrolled an additional 8,400,000 Americans.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Finance Committee shall not report a reconciliation bill that achieves spending reductions that would—

(1) undermine the role the Medicaid program plays as a critical component of the health care system of the United States;

(2) cap Federal Medicaid spending, or otherwise shift Medicaid cost burdens to State or local governments and their taxpayers and health providers, forcing a reduction in access to essential health services for low-income elderly individuals, individuals with disabilities, and children and families; or

(3) undermine the Federal guarantee of health insurance coverage Medicaid provides, which would threaten not only the health care safety net of the United States, but the entire health care system.

SEC. 505. SENSE OF THE SENATE REGARDING TRIBAL COLLEGES AND UNIVERSITIES.

(a) FINDINGS.—The Senate finds the following:

(1) American Indians from over 250 federally recognized tribes nationwide attend tribal college and universities, a majority of whom are first-generation college students.

(2) Tribal colleges and universities are located in some of the most isolated and impoverished areas in the Nation and are the Nation's most poorly funded institutions of higher education. While the Tribally Controlled College or University Assistance Act, or "Tribal College Act," provides funding based solely on Indian students, the colleges have open enrollment policies providing access to postsecondary education opportunities to all interested students, about 20 percent of whom are non-Indian. With rare exception, tribal colleges and universities do not receive operating funds from their respective States for these non-Indian State resident students. Yet, if these same students attended any other public institutions in their States, the State would provide basic operating funds to the institution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) this resolution recognizes the funding challenges faced by tribal colleges, and universities and assumes that equitable consideration will be provided to them through funding of the Tribally Controlled College or University Assistance Act, the Equity in Educational Land Grant Status Act, title III of the Higher Education Act of 1965, and the National Science Foundation, Department of Defense, and Housing and Urban Development Tribal College and University Programs; and

(2) such equitable consideration reflects Congress intent to continue to work toward statutory Federal funding authorization goals for tribal colleges and universities.

SEC. 506. SENSE OF THE SENATE REGARDING SUPPORT FOR THE PRESIDENT'S REQUEST TO CONCENTRATE FEDERAL FUNDS FOR STATE AND LOCAL HOMELAND SECURITY ASSISTANCE PROGRAMS ON THE HIGHEST THREATS, VULNERABILITIES, AND NEEDS.

It is the sense of the Senate that Congress supports the President's request to "Concentrat[e] Federal funds for State and local homeland security assistance programs on the highest threats, vulnerabilities, and needs."

SEC. 507. SENSE OF THE SENATE REJECTING PROPOSED ELIMINATION OF PER DIEM REIMBURSEMENT TO STATE NURSING HOMES IN THE PRESIDENT'S BUDGET.

It is the sense of the Senate that Congress should reject the President's proposal to eliminate per diem payments to State Veterans Homes for the vast majority of patients that reside in these homes.

SEC. 508. SENSE OF THE SENATE REGARDING IMPACT AID.

It is the sense of the Senate that funding for Impact Aid (Title VIII of Public Law 107–

110) should be sufficient to insure that all federally connected school districts are provided a payment under sections 8002 and 8003 of that Act that will allow them to address the increase in program costs in recent years, as this is critical for school districts addressing the emotional and family needs of children of military families who have a parent or parents engaged in conflict in Iraq or Afghanistan.

SEC. 509. SENSE OF THE SENATE REGARDING MANDATORY AGRICULTURAL PROGRAMS.

(a) FINDINGS.—The Senate finds the following:

(1) The mandatory farm programs administered by United States Department of Agriculture under the Food Security and Rural Development Act of 2002 provide an economic safety net, ensure the availability of Federal crop insurance, fund conservation priorities, and enhance agriculture export market opportunities for United States farmers and ranchers.

(2) The actual budget outlays for farm bill programs for fiscal years 2002–2004 have been about \$16,700,000,000 less than projected by the Congressional Budget Office in August 2002, shortly after the farm bill was passed.

(3) Over 72 percent of farm program payments are currently received by only 10 percent of our Nation's program crop producers.

(4) Any agricultural policy modifications should address the disproportionate share of farm program payments received by the largest farming operations.

(5) If commodity prices decline, as projected by the Congressional Budget Office over the next several years, agricultural programs will be even more important to the economic future of small- and medium-sized family farms.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any reconciled mandatory agriculture savings required under this resolution should be primarily achieved through modifications to the payment limitation provisions of the Food Security and Rural Investment Act of 2002.

SENATE CONCURRENT RESOLUTION 19—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE IMPORTANCE OF LIFE INSURANCE AND RECOGNIZING AND SUPPORTING NATIONAL LIFE INSURANCE AWARENESS MONTH

Mr. CHAMBLISS (for himself and Mr. NELSON of Nebraska) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 19

Whereas life insurance is an essential part of a sound financial plan;

Whereas life insurance provides financial security for families in the event of a premature death by helping surviving family members to meet immediate and longer-term financial obligations and objectives;

Whereas nearly 50,000,000 Americans say they lack the life insurance coverage needed to ensure a secure financial future for their loved ones;

Whereas recent studies have found that when a premature death occurs, insufficient life insurance coverage on the part of the insured results in three-fourths of surviving family members having to take measures such as working additional jobs or longer hours, borrowing money, withdrawing money from savings and investment accounts, and, in too many cases, moving to smaller, less expensive housing;

Whereas individuals, families, and businesses can benefit greatly from professional insurance and financial planning advice, including the assessment of their life insurance needs; and

Whereas the Life and Health Insurance Foundation for Education (LIFE), the National Association of Insurance and Financial Advisors (NAIFA), and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2005 as "Life Insurance Awareness Month", the goal of which is to make consumers more aware of their life insurance needs, seek professional advice, and take the actions necessary to achieve the financial security of their loved ones: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) designates September 2005 as "Life Insurance Awareness Month";

(2) recognizes and supports the goals and ideals of "Life Insurance Awareness Month"; and

(3) requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe "Life Insurance Awareness Month" with appropriate programs and activities.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, March 11, 2005, at 9:30 a.m. to hold a nomination hearing. The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE LIFE OF FERN HOLLAND

On Thursday, March 10, 2005, the Senate passed S. Res. 80, as follows:

S. RES. 80

Whereas the Senate remembers with great sadness the murder of Fern Holland near the Iraqi city of Karbala at the age of 33 on March 9, 2004;

Whereas Fern Holland, born in Bluejacket, Oklahoma, on August 5, 1970, lived her life committed to creating the most equal and just global society possible;

Whereas Fern Holland graduated with honors in psychology at Oklahoma University and actively sought to help the world through caring for children dying of nuclear-related diseases in Russia and teaching kids in a squatter camp in South Africa;

Whereas in the spring of 2000, Fern Holland worked for the Peace Corps as a human rights legal advisor in West Africa;

Whereas in 2003, Fern Holland went to investigate alleged human rights violations for the American Refugee Committee at a refugee camp in Guinea where she established a legal clinic to seek justice for victims of human rights violations, and which, at the time of her death in 2004, had handled 118 cases on behalf of victims of human rights violations;

Whereas in May 2003, Fern Holland went to Iraq as a United States Agency for International Development employee to work for women's rights;

Whereas in Iraq, Fern Holland organized human rights groups, opened 6 women's cen-

ters in south Baghdad, and acted as a strong advocate for Iraqi women's rights;

Whereas after Fern Holland's death, leading feminists issued statements praising her work;

Whereas residents of the refugee camp in Guinea renamed the legal clinic Fern Holland established the "Fern Holland Legal Aid Clinic of Nzerekore";

Whereas the high school Fern Holland attended in Miami, Florida observed a moment of silence and then discussed a memorial to honor her;

Whereas the Cherokee Nation honored Fern Holland by passing a resolution saying she "died as a warrior";

Whereas Fern Holland was posthumously named a Heroic Oklahoman on April 7, 2004, by Governor Brad Henry; and

Whereas Fern Holland devoted her brief life to promoting her belief in basic human rights and the rule of law: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that, in Fern Holland, the World has lost one of its most devoted and hard working human rights activists;

(2) honors Fern Holland in her extreme dedication to making the world a better place; and

(3) expresses its deep and heartfelt condolences to the family of Fern Holland on their loss.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

On Thursday, March 10, 2005, the Senate passed S. 256, as follows:

S. 256

SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Bankruptcy Abuse Prevention and Consumer Protection Act of 2005".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; references; table of contents.

TITLE I—NEEDS-BASED BANKRUPTCY

Sec. 101. Conversion.

Sec. 102. Dismissal or conversion.

Sec. 103. Sense of Congress and study.

Sec. 104. Notice of alternatives.

Sec. 105. Debtor financial management training test program.

Sec. 106. Credit counseling.

Sec. 107. Schedules of reasonable and necessary expenses.

TITLE II—ENHANCED CONSUMER PROTECTION

Subtitle A—Penalties for Abusive Creditor Practices

Sec. 201. Promotion of alternative dispute resolution.

Sec. 202. Effect of discharge.

Sec. 203. Discouraging abuse of reaffirmation agreement practices.

Sec. 204. Preservation of claims and defenses upon sale of predatory loans.

Sec. 205. GAO study and report on reaffirmation agreement process.

Subtitle B—Priority Child Support

Sec. 211. Definition of domestic support obligation.

Sec. 212. Priorities for claims for domestic support obligations.

Sec. 213. Requirements to obtain confirmation and discharge in cases involving domestic support obligations.

Sec. 214. Exceptions to automatic stay in domestic support obligation proceedings.

Sec. 215. Nondischargeability of certain debts for alimony, maintenance, and support.

Sec. 216. Continued liability of property.

Sec. 217. Protection of domestic support claims against preferential transfer motions.

Sec. 218. Disposable income defined.

Sec. 219. Collection of child support.

Sec. 220. Nondischargeability of certain educational benefits and loans.

Subtitle C—Other Consumer Protections

Sec. 221. Amendments to discourage abusive bankruptcy filings.

Sec. 222. Sense of Congress.

Sec. 223. Additional amendments to title 11, United States Code.

Sec. 224. Protection of retirement savings in bankruptcy.

Sec. 225. Protection of education savings in bankruptcy.

Sec. 226. Definitions.

Sec. 227. Restrictions on debt relief agencies.

Sec. 228. Disclosures.

Sec. 229. Requirements for debt relief agencies.

Sec. 230. GAO study.

Sec. 231. Protection of personally identifiable information.

Sec. 232. Consumer privacy ombudsman.

Sec. 233. Prohibition on disclosure of name of minor children.

Sec. 234. Protection of personal information.

TITLE III—DISCOURAGING BANKRUPTCY ABUSE

Sec. 301. Technical amendments.

Sec. 302. Discouraging bad faith repeat filings.

Sec. 303. Curbing abusive filings.

Sec. 304. Debtor retention of personal property security.

Sec. 305. Relief from the automatic stay when the debtor does not complete intended surrender of consumer debt collateral.

Sec. 306. Giving secured creditors fair treatment in chapter 13.

Sec. 307. Domiciliary requirements for exemptions.

Sec. 308. Reduction of homestead exemption for fraud.

Sec. 309. Protecting secured creditors in chapter 13 cases.

Sec. 310. Limitation on luxury goods.

Sec. 311. Automatic stay.

Sec. 312. Extension of period between bankruptcy discharges.

Sec. 313. Definition of household goods and antiques.

Sec. 314. Debt incurred to pay nondischargeable debts.

Sec. 315. Giving creditors fair notice in chapters 7 and 13 cases.

Sec. 316. Dismissal for failure to timely file schedules or provide required information.

Sec. 317. Adequate time to prepare for hearing on confirmation of the plan.

Sec. 318. Chapter 13 plans to have a 5-year duration in certain cases.

Sec. 319. Sense of Congress regarding expansion of rule 9011 of the Federal Rules of Bankruptcy Procedure.

Sec. 320. Prompt relief from stay in individual cases.

Sec. 321. Chapter 11 cases filed by individuals.

Sec. 322. Limitations on homestead exemption.

Sec. 323. Excluding employee benefit plan participant contributions and other property from the estate.

Sec. 324. Exclusive jurisdiction in matters involving bankruptcy professionals.

Sec. 325. United States trustee program filing fee increase.